

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HARRY GAO and ROBERTA SOCALL,
on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

JPMORGAN CHASE & CO. and
CHASE BANK USA, N.A.

Defendants.

Case No. 1:14-cv-04281-PAC

**DECLARATION OF KENNETH J. GRUNFELD IN SUPPORT OF PLAINTIFFS’
UPDATED MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT
AND CERTIFYING SETTLEMENT CLASS**

I, Kenneth J. Grunfeld, do hereby declare and state as follows:

1. I am a partner at the law offices of Golomb & Honik, P.C., and counsel of record for Plaintiffs Harry Gao and Roberta Socall. I am licensed to practice in the Commonwealth of Pennsylvania and the State of New Jersey, and other jurisdictions and courts, and I have been admitted *pro hac vice* to practice in the United States District Court for the Southern District of New York in the above captioned matter. I have personal knowledge of all the facts stated herein and, if called to testify as a witness, I could and would competently testify to them.
2. This declaration is made in support of Plaintiffs’ Updated Motion for Final Approval of Class Action Settlement and Certification of the Settlement Class, and accompanying Memorandum of Law.
3. The Settlement provides substantial relief to the Settlement Class¹ and the terms of the Settlement are fair, adequate, and reasonable.

¹ The definitions in the Settlement Agreement and Release (“Agreement”) (Dkt. 70-1), as amended by the Modification and Supplement to the Agreement (“Modification and Supplement”) (Dkt. 84-

4. I have submitted four (4) previous Declarations in this case, one supporting Preliminary Approval [D.E. #70], two supporting Class Counsel's request for fees, costs and approval of incentive awards [D.E. #'s 76 and 88], and one supporting Final Approval [D.E. # 79]. I hereby incorporate by reference those Declarations in this document.

I. Steps Taken Following the Supplemental Notice Approval Order

5. On April 3, 2017, the Court entered its Supplemental Notice Approval Order. D.E. # 85.

6. The Parties and the Settlement Administrator then met to confirm the case deadlines and begin the process of compliance with the Supplemental Notice Program, and have since worked to successfully meet the deadlines set forth in that Order.

7. A Supplemental Long-Form Notice was posted on the Settlement Website by April 10, 2017; in addition, updates were made to the language on the Settlement Website (<https://eclaim.kccllc.net/caclaimforms/jga/home.aspx>) and to the IVF script used for the case's toll free telephone number (1-855-306-9709).

8. Following the mailing of the Supplemental Notice, the Parties and Settlement Administrator communicated regularly to address any Settlement Class Member issues, notice and mailing concerns. KCC provided reports regarding the status of the Supplemental Notice.

II. The Supplemental Notice

9. The Parties and KCC worked together to facilitate Supplemental Notice, including coordinating efforts to maximize reach, tracking any objections, opt-outs and claim filings, and addressing any other Settlement Class Member issues, all of which necessitated frequent communication. KCC drafted reports to the Parties to document the status of these efforts.

1) are hereby incorporated as though fully set forth herein, and capitalized terms shall have the meanings attributed to them in the Agreement, as amended by the Modification and Supplement.

10. There are 7,107 unique Supplemental Notice Settlement Class Members who collectively hold 7,749 Accounts. These individuals and their accounts make up the Supplemental Notice Program.

11. Supplemental Notice has subsequently been effectuated.

* * *

I declare under the penalty of perjury of the laws of the Commonwealth of Pennsylvania, that the foregoing is true and correct. Executed this **29th** day of **August 2017**, in Philadelphia, Pennsylvania.

/s/ Kenneth J. Grunfeld

Kenneth J. Grunfeld

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the forgoing **Declaration of Kenneth J. Grunfeld in Support of Plaintiffs' Updated Motion for Final Approval of Class Action Settlement and Certifying Settlement Class**, was served on the following by CM/ECF and by electronic mail pursuant to agreement of the Parties:

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This the 29th day of August, 2017.

/s/ Kenneth J. Grunfeld
Kenneth J. Grunfeld, Esquire